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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/768,505

01/30/2004

Jody K. Harwood

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11/03/2006

EXAMINER

PHU, SANH D

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SOUTHFIELD, MI 48075-1238

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/768,505

Applicant(s)

HARWOOD ET AL.

Examiner

Sanh D. Phu

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 16, 18 and 19 is/are rejected.
- 7) ☒ Claim(s) 14, 15 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The IDS filed 1/30/2004 has been considered and recorded in the file.

Claim Objections

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 9–20 should be renumbered 8–19, respectively. The claims 9–20 are addressed as claims 8–19, which is used for this Office Action.

Claim Rejections – 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject

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matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-13, 16, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Witte (US 2002/0146999) in view of Witkowski et al (US 2004/0110472).

Regarding to claim 1, Witte discloses a system for communicating information between a vehicle and a device located in a house, the system comprising:

a vehicle appliance (1) integrated in a vehicle (2), the vehicle appliance having a Bluetooth enabled communications module (see Fig. 3, section [0008]);

a garage located in the vicinity of the house, the garage having a garage door opener mounted therein (garage opener is inherently installed in the garage of the house), the garage door opener (Fobo device #7 in Fig. 3) having a Bluetooth (8) enabled communications module and a transceiver (9) (see Device 7 and section [0022]), wherein the communications module of the

garage door opener (Device 7/ fobo) and the communications module of the vehicle appliance (1) are operable to wirelessly communicate with one another when the vehicle is located in the vicinity of the garage (see Fig. 3); and

a device (13) located in the house, the device (13) and the transceiver (9) of the garage door opener (7) being operable to wirelessly communicate (15) with one another (see Fig. 3);

wherein the vehicle appliance (1) and the device (13) wirelessly communicate (8 and 15) with one another via the communications module and the transceiver of the garage door opener (7) (see Fig. 3).

Witte does not specifically disclose fobo device (7) (Fig. 3) is Garage door opener.

Witkowski et al disclose the fobo device is the garage door opener (118)(Fig. 16, section [0088]).

Therefore, it would have been obvious for one skilled in the art at the time of the invention was made to implement the fobo device into garage door opener, as taught by Witkowski et al, in order to make garage door opener as a

Access Point (AP) of a network so that the all devices are able to communicate each other.

Regarding to claim 2, Witte discloses a controller Area network (6) in the vehicle appliance, Witte does not specifically disclose said controller Area Network is hands-free telephone system, however, Witkowski et al disclose the system wherein:

the vehicle appliance (86)(Fig. 8) includes a hands-free telephone system (80,82,83)(Fig. 8), wherein the system further includes a Bluetooth enabled cell phone (78) operable to communicate with the communications module of the vehicle appliance in order for a driver of the vehicle to make a cell phone call using voice commands (see Fig. 8, section [0067]).

Therefore, it would have been obvious for one skilled in the art at the time of the invention was made to implement controller Area network, as taught by Witkowski et al, so that the driver is able to use the cellular phone with hands-free while driving the car.

Regarding to claim 3, Witte discloses the system wherein:

the device (13) and the cell phone (14) wirelessly communicate with one another via the communications module of the vehicle appliance and the communications module and the transceiver of the garage door opener(1)(see Fig. 1).

Regarding to claim 4, Witte discloses the system wherein:

the device is a personal computer (13)(see Fig. 1 and 3).

Regarding to claim 5, Witkowski et al disclose the system wherein:

the personal computer is connected to the Internet (see Fig. 9 and section [0027]).

Regarding to claim 6, Witkowski et al disclose the system wherein:

the personal computer wirelessly communicates with the vehicle appliance via the communications module and the transceiver of the garage door opener in order to transfer information from the Internet to the vehicle appliance (see Fig. 9).

Regarding to claim 7, Witte discloses the system wherein:

the vehicle appliance wirelessly communicates with the personal computer via the communications module and the transceiver of the garage door opener (Fig. 3) except the Personal Computer access to the Internet.

Witkowski et al disclose in Fig. 9 that the Personal Computer is able to access information to/from the Internet.

Regarding to claim 8, Witkowski et al disclose the system wherein:

the device is a home lighting device, wherein the vehicle appliance wirelessly communicates with the communications module of the garage door opener in order to transmit a home lighting device command to the home lighting device, wherein the transceiver of the garage door opener wirelessly transmits the home lighting device command to the home lighting device to control the operation of the home lighting device in accordance with the command (see section [0088]).

Regarding to claim 9, Witkowski et al disclose the system wherein:

the device is a home security device, wherein the vehicle appliance wirelessly communicates with the communications module of the garage door opener in order to transmit a home security device command to the home

security device, wherein the transceiver of the garage door opener wirelessly transmits the home security device command to the home security device to control the operation of the home security device in accordance with the command (see section [0088]).

Regarding to claim 10, Witte discloses the system wherein:

the transceiver (9) of the garage door opener is a Bluetooth enabled transceiver (section [0008]).

Regarding to claim 11, Witte discloses the system wherein:

the transceiver of the garage door opener is a wireless local area network (LAN) transceiver (see Fig. 1).

Regarding to claim 12, Witte discloses a method for communicating information between a vehicle having a vehicle appliance (1) and a device located (13) in a house, the method for use with a garage door opener (fobo device which is #7 in Fig. 3) of a garage located in the vicinity of the house, the method comprising:

providing the vehicle appliance with a Bluetooth enabled communications module (see section [0008]);

providing the garage door opener with a Bluetooth enabled communications module and a transceiver (9), wherein the communications module of the garage door opener and the communications module of the vehicle appliance are operable to wirelessly communicate (8) with one another when the vehicle is located in the vicinity of the garage, wherein the device (13) and the transceiver (9) of the garage door opener are operable to wirelessly communicate (15) with one another;

parking the vehicle in the garage (the vehicle inherently park in the garage); and

wirelessly communicating information between the vehicle appliance (1) and the device (13) via the communications module and the transceiver of the garage door opener (see Fig. 3 and text portion).

Regarding to claim 13, claim 13 is rejected with similar reasons as set forth in claim 7.

Regarding to claim 16, claim 16 is rejected with similar reasons as set forth in claim 7.

Regarding to claim 18, claim 18 is rejected with similar reasons as set forth in claims 7 and 8.

Regarding to claim 19, claim 19 is rejected with similar reasons as set forth in claims 7 and 8.

Allowable Subject Matter

5. Claims 14, 15 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding to claim 14, the prior art of record fails to teach the method wherein the accessed information includes a custom vehicle horn sound, the method further comprising:

transmitting a command from the vehicle appliance to a horn of the vehicle via a vehicle electrical bus in order to control the horn to blast sounds in accordance with the custom vehicle horn sound.

Regarding to claim 15 the prior art of record fails to teach the method wherein the accessed information includes a custom turn signal sound, the method further comprising:

transmitting a command from the vehicle appliance to a speaker of the vehicle via a vehicle electrical bus in order to control the speaker to output a sound in accordance with the custom turn signal sound as a turn signal of the vehicle operates.

Regarding to claim 17, the prior art fail to teach the communicated information includes vehicle diagnostics and the third party is a vehicle dealer.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D. Phu whose telephone number is (571)272-7857. The examiner can normally be reached on M-Th from 7:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SP

Sanh D. Phu
Examiner
Division 2618

10/19/06



**SANH D. PHU
PATENT EXAMINER**